

JUDD BURSTEIN, P.C.
ATTORNEYS AT LAW

JUDD BURSTEIN*
PETER B. SCHALK**

G. WILLIAM BARTHOLOMEW**
ALI R. JAFFERY**

*ALSO ADMITTED IN CONNECTICUT
**ALSO ADMITTED IN NEW JERSEY

5 COLUMBUS CIRCLE
1790 BROADWAY
NEW YORK, NEW YORK 10019
TEL: (212) 974-2400
FAX: (212) 974-2944
WWW.BURLAW.COM

12 OLD HILL FARMS ROAD
WESTPORT, CONNECTICUT 06880
TEL: (203) 226-4823

October 18, 2016

VIA HAND DELIVERY and EMAIL – FILED UNDER SEAL

The Honorable Katherine B. Forrest
United States District Judge
Southern District of New York
500 Pearl Street, Room 2230
New York, NY 10007
ForrestNYSDCChambers@nysd.uscourts.gov

Re: Krechmer v. Tantaros, et al., Docket No. 16-cv-7820

Dear Judge Forrest:

I am an associate at Judd Burstein, P.C., counsel for Defendants in the above-captioned action. I write in reference to Your Honor's Order approving Defendants' proposed briefing schedule for their anticipated Motions to Dismiss and for Sanctions (the "Order").

The Order states that the parties are to "file" their papers on the dates given. However, Rule 2.B of Your Honor's Individual Rules of Practice in Civil Cases provides that "[m]otion papers shall be filed promptly after service." Furthermore, since this case is currently under seal, we are unable to file our motion papers via ECF. Instead, our motion papers will have to be filed in hard copy with the Records Management Unit, which I am informed does not accept filings after 4:30pm. Since, as discussed in our letter of yesterday, this is a complicated and fact-intensive case, we may need to work on our motion papers past 4:30pm.

Therefore, Defendants respectfully request that, while this case remains under seal, the parties be permitted to follow Your Honor's Individual Rule by serving their motion papers upon opposing counsel on the dates specified in the Order and filing them with the Court the next business day.

Respectfully Yours,


G. William Bartholomew

cc: Jay M. Wolman, Esq. (via Email)